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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,388	11/30/2001	James C. Wilshire	K35A1001	1045

35219 7590 07/31/2006

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EXAMINER

SHIBRU, HELEN

ART UNIT PAPER NUMBER

2621

DATE MAILED: 07/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/002,388	WILSHIRE, JAMES C.	
	Examiner	Art Unit	
	HELEN SHIBRU	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16 is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☒ Claim(s) 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>11/30/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendments, filed 04/27/2006, have been entered and made of record. Claims 1-16 are pending.

Response to Arguments

2. Applicant's arguments filed on 04/27/2006 have been fully considered but they are not persuasive. See the new ground(s) of rejections set below.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono (US PG PUB. 2002/0031330A1) ⁱⁿ ~~in~~ view of Rodriguez (US PG PUB. 2002/0168178).

PTG
7/24/06

Regarding claim 1, Ono discloses a method of storing a plurality of audio/video (A/V) programs on a storage medium for presentation to a viewer, comprising:

receiving the transport stream structured in packets and representing the plurality of A/V programs, each A/V program represented by a plurality of packets and identified by program identification data in each packet (see fig. 3, fig. 5, fig. 16 and paragraph 0083 in page 5). ;

detecting the program identification data of each received packet (see fig. 7 and page 5 paragraphs 0083-0084);

storing data of packets relating to a single A/V program in a buffer portion separate from buffer portions for data of packets having program identification data related to different A/V programs (see fig. 3 and page 5 paragraph 0085-0086, the AV data and the PID are recorded in separate place in unit 103 of fig. 3); and

transferring the data of the packets from the separate buffer portions to separate storage files in a storage medium, each storage file storing only data of the packets having program identification data related to a single A/V program (see fig. 3 recording MPEG2-TS and page 6 paragraph 0091, page 8 00126-0127, and page 9 0135).

Claim 1 differs from Ono in that the claim further requires storing data of packets relating to a single A/V program within the transport stream in a buffer portion separate from buffer portions for data of packets having program identification data related to different A/V programs within the program stream.

In the same field of endeavor Rodriguez discloses a plurality of A/V programs stored in the memory (see paragraphs 0032-0034 and 0049). Rodriguez further discloses each programs are stored in the corresponding space (see paragraph 0085 and fig. 4). Rodriguez further discloses each buffer portion is in communication with the storage management system (see paragraphs 0088-0090 and 0092). Therefore in light of the teaching in Rodriguez it would have been obvious to modify Ono by storing data of packets with in the transport stream in a plurality of separate buffer portions in order to access the programs from different spaces.

Regarding claim 2, Ono discloses the A/V program includes at least one of a video program, an audio program and data content (see page 1 paragraph 0004, page 6 paragraph 0097, page 8 paragraph 0127).

Regarding claim 3, Ono discloses the transferring includes storing the data of the packets in separate storage files of a hard disk drive (see claim rejection of 1 and page 5 paragraphs 0078-0080).

Regarding claim 4, Ono discloses selectively overwriting or deleting one or more storage files (see page 11 paragraph 0168).

Regarding claim 5, reading from a storage file while playing back a recorded A/V program (see page 6 paragraph 0088-0089).

Regarding claim 6, a packet of a transport stream includes a program association table and a program map table that describe the AJV program of the transport stream (see page 6 paragraph 0091)

Regarding claim 7, Ono discloses reading from a file while playing back a recorded A/V program, wherein the reading occurs in accordance with the program identification data, program association table and program map table (see page 6 paragraph 0088-0092).

Regarding claim 8, Ono discloses the packet further includes a conditional access table that enables a user to subscribe to a conditional access service (see page 5 paragraphs 0073 and 0076).

Claims 10-11 are rejected for the same reason as discussed in claims 1-2 above.

Claims 13-14 are rejected for the same reason as discussed in claims 3-4 above.

Regarding claims 9 and 12, claims 9 and 12 are differ from Ono in that the claims further require receiving the data stream includes receiving the transport stream over an interface in accordance with the IEEE-1394 specification. Although Ono failed to specifically disclose

receiving the transport stream over IEEE-1394, Ono discloses the transport streams are inputted from digital broadcast receiving unit (see abstract).

In the same field of endeavor Rodriguez discloses the transport streams are transmitted through IEEE-1394 isochronous bus (see col. 4 lines 30-64). Therefore in light of the teaching in Rodriguez it would have been obvious to one of ordinary skill in the art at the time the invention was made to include an IEEE-1394 bus in order to stream audio and video data in a certain amount of bandwidth.

Allowable Subject Matter

5. Claims 15 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Allowable Subject Matter

6. Claim 16 is allowed. The following is an examiner's statement of reasons for allowance: Independent claim 16 identifies the uniquely distinct feature "a storage management system connected to receive the transport stream from the interface and to detect the program identification data of each received packet, wherein the storage management system includes a plurality of filters, each filter assigned to a buffer channel and configured to detect data comprised in packets having program identification data related to a single A/V program, each buffer channel connecting the filter to one of the buffer portions." The prior arts either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

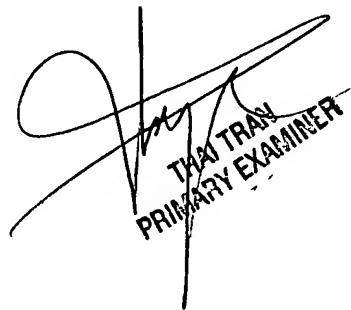
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571) 272-7329. The examiner can normally be reached on M-F, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Helen Shibru
July 19, 2006


THAI TRAN
PRIMARY EXAMINER